



# STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM



NOTE: THIS FORM IS ONLY TO BE USED FOR THE  
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☒ Lease  
☐ Purchase  
☐ Donation  
☐ Other

Explain: \_\_\_\_\_

☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 07/18/2011  
END DATE 12/31/2015

<b>FOR OFFICE USE ONLY</b>	
FILE No. <u>CS4-01467e145b3a(B)</u>	WRIA <u>39</u>
DATE ACCEPTED <u>03/06/13</u>	BY <u>[Signature]</u>
FEE \$ <u>0</u>	REC'D <u>02/13/2013</u>
CHECK No. <u>0</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

## 1. Applicant Information:

APPLICANT/BUSINESS NAME Washington Water Trust	PHONE NO. (509) 925-5601	FAX NO. (509) 925-5603
ADDRESS 103 East 4th Avenue, Suite 203		
CITY Ellensburg	STATE WA	ZIP CODE 98926

CONTACT NAME (IF DIFFERENT FROM ABOVE) Jason McCormick, Washington Water Trust	PHONE NO. (509) 925-5601	FAX NO. (509) 925-5603
ADDRESS 103 East 4th Avenue, Suite 203		
CITY Ellensburg	STATE WA	ZIP CODE 98926

## 2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Claim 01467(A)	RECORDED NAME(S) Harry James Masterson & Mary Lou Masterson
DO YOU OWN THE RIGHT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS: Kathi Masterson, 381 Masterson Rd, Cle Elum, WA 98922 Laura Masterson, 16504 63 <sup>rd</sup> Avenue West, Lynwood, WA 98037	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

<u>CS4-01467e145b3a(B)</u>	
FOR OFFICE USE ONLY	
WATER RIGHT NO. _____	FILE (contract) NO. _____
<u>CS4-01467e145b3a(B)</u>	

TEMP LEASE



**3. How is Water to be Made Available for Trust?**

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): Department of Ecology; National Fish & Wildlife Foundation	

**WATER RIGHT DESCRIPTION \*****4. Point(s) of Diversion/Withdrawal:****A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Teanaway River		NE	NE	34	20 N.	16 E.	465235	

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

**5. Purpose of Use:****A. Existing Use of the Water Right**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 142.25 acres (Estate of Harry M.)	2.03 cfs	348.51	May 1 to September 15
Irrigation of 12.75 acres (Laura Masterson)	0.18 cfs	31.24	May 1 to September 15

**B. Proposed Purpose of the Trust Water Right:**

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Instream Flow of 142.25 acres	348.51
Instream Flow of 12.75 acres	31.24

**6. Place of Use:****A. Existing:**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Estate: Portions of Section 28 and Section 33, both within T20N, R 16 E W.M.							
Laura: The East half of the Northwest Quarter of the Northwest Quarter of Section 33, Township 20 North, Range 16 East, W.M., records of Kittitas County, State of Washington.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		28 & 33	20 N	16 E	Kittitas	441336, 431336, 386036, 396036, 406036, 253236, 474636, 013236, 023236, 223236, 213236, 203236, 335035, 293236, 093236, 063236	142.25
NW	NW	33	20 N	16 E	Kittitas	625135	12.75
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							
Kathi Masterson, 381 Masterson Rd, Cle Elum, WA 98922							
Laura Masterson, 16504 63 <sup>rd</sup> Avenue West, Lynwood, WA 98037							

\* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.



**6. Place of Use (continued)**

**B. Proposed:**

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
From the Teanaway River to the Pacific Ocean.

**7. Remarks and Other Relevant Information:**

Exhibit A: 2011-2015 Order Pendente Lite, August 11, 2011

Exhibit B: 2012-2015 Amended Order Pendente Lite, May 10, 2012

Washington Water Trust is requesting a temporary transfer (change) to a portion of Court Claim No. 01467 with a priority date of June 30, 1883 to instream flow from July 18, 2011 through December 31, 2015.

This Change Application seeks to effectuate a transfer of the 142.25 and 12.75 acres for Estate of Harry Masterson and Laura Masterson, respectively, served by the Court Claim as modified by ROE No. CS4-01467@11sb3a to be used exclusively for instream flows for fish maintenance and enhancement, recreational uses and preservation of environmental and aesthetic values as allowed under RCW Chapters 90.03, 90.42, and 90.58. Water use changes associated with this application will provide significant environmental benefits from the Teanaway River to the Pacific Ocean, thus this transfer should receive expedited processing under WAC 173-152-050(2)(b) and (3)(a).

This application is accompanied by an Order Pendente Lite and an Amended Order Pendente Lite as signed by the Yakima County Superior Court.

Washington Water Trust intends to protect this trust water right as instream flow from the Teanaway River to the Pacific Ocean.

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

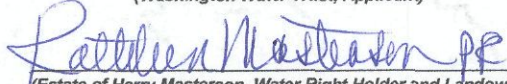
Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

**8. Signatures:**

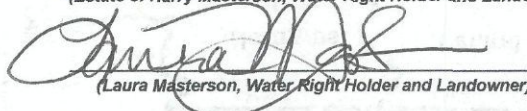
*I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

  
(Washington Water Trust, Applicant)

01 / 16 / 2013  
(Date)

  
(Estate of Harry Masterson, Water Right Holder and Landowner)

2 / 5 / 2013  
(Date)

  
(Laura Masterson, Water Right Holder and Landowner)

01 / 19 / 2013  
(Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION \_\_\_\_\_ IS INCOMPLETE

☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**IMPORTANT!**

Submit your application to Ecology at the regional office for the area of proposed or existing water use. Below is a map of the State of Washington, with outlines of the four Ecology regional offices. If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.



Department of Ecology  
Central Regional Office  
15 W. Yakima Avenue, Suite 200  
Yakima, WA 98902  
Telephone: (509) 575-2490

Department of Ecology  
Eastern Regional Office  
N. 4601 Monroe, Suite 202  
Spokane, WA 99205-1295  
Telephone: (509) 329-3400

Department of Ecology  
Northwest Regional Office  
3190 - 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452  
Telephone: (425) 649-7000

Department of Ecology  
Southwest Regional Office  
PO Box 47775  
Olympia, WA 98504-7775  
Telephone: (360) 407-6300

If you need assistance in the application process or those needing this application in an alternate format, please call the Water Resources Program at (360) 407-6600 or 800-833-6388 (TTY).

**ATTACHMENT FOR  
APPLICATION TO ENTER A WATER RIGHT INTO  
THE TRUST WATER RIGHT PROGRAM**

**Point(s) of Diversion/Withdrawal - ☐ Existing ☐ Proposed:**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
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PURPOSE OF USE	ACRE-FEET/YR
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LEGAL DESCRIPTION OF LANDS							
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NW	NW	33	20 N	16 E	Kittitas	625135	12.75
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							
Kathi Masterson, 381 Masterson Rd, Cle Elum, WA 98922							
Laura Masterson, 16504 63 <sup>rd</sup> Avenue West, Lynwood, WA 98037							



## INSTRUCTIONS FOR APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

**NOTE:** This application to enter a water right into the trust water right program is used only when a water right is proposed to be entered into the state trust water right program through an acquisition by lease, purchase, or donation and there are no other modifications to the water right being proposed. If other modifications to water right that will remain with the water right holder are proposed, an Application to Change/Transfer a Water Right, Ecology form number 040-1-97 must be filed instead of this form.

**NOTE:** No fee is required with this application if the proposal results in a donation of a water right to the trust water right program or if the state acquires a trust water right for instream flows or other public purposes.

### INSTRUCTIONS

1. **Applicant Information:** Identify the name and contact information for the applicant that is filing the proposal to enter a water right into trust. Provide contact information for the application if it differs from the applicant.
2. **Water Right Information:** Complete the following:
  - Provide the water right document number (i.e., certificate, claim, etc.) and the names of the individuals as identified upon the water right document;
  - Check the appropriate boxes indicating:
    - Whether you are the owner of the water right proposed to become a trust water right. If you are not the owner, identify the owner and the owner's contact information;
    - Whether the water right has been exercised during the past five-years;
    - Whether the water use is measured, and;
  - Provide any information, such as records of measurement, pump electrical consumption records or other information that indicates specifically the extent of water use during the past five-years and general information of the extent of historic water use.
3. **How is Water to be Made Available for Trust?** Indicate what alteration to the existing water use under the water right is planned to make water right available for the trust water right program. Check all boxes that may apply.
4. **Point(s) of Diversion/Withdrawal:** Describe the diversion or withdrawal at the point at which water is taken from a public water body, such as a stream or from a well. If water is taken from a well, attach all existing records of the well.
5. **Purpose of Use: Part A:** Identify the current purposes of water use (i.e., irrigation, stockwater, domestic, etc.) and the season of use (i.e., continuous, year-round, April – September, etc.), as well as the existing quantities of water use as authorized under the water right. **Part B:** Identify any proposed purpose of use and the water quantity intended for use of the water right while in the trust water right program.
6. **Place of Use: Part A:** Describe the legal description (i.e.,  $\frac{1}{4}$   $\frac{1}{4}$ , Section, Township, Range, etc.) of the lands where the water right is currently used. Also, identify whether the applicant is the owner of all the existing place of use. If the applicant is not the owner, provide the name(s) of the property owner(s). **Part B:** Identify the water body or other place that is expected to benefit while the water right is in trust.
7. **Remarks and Other Relevant Information:** Provide any information that further explains the trust water right proposal.
8. **Signatures:** The application must be signed by the applicant, the water right holder, and the land owner of the existing place of water use, if different from the water right holder. Additionally, if the water right is within an irrigation district, the application must be signed by a representative with signature authority for the irrigation district.

**Attachment:** An attachment is available for continuing the information required within Items 4, 5, and 6.